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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/804,248 Filed/Issue Date: 03/13/2001Entitled: METHODS AND DEVICES FOR SELECTING INTERNET SERVERSAgere Systems Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Ashfaq Hossain To: Agere Systems Guardian Corp.

The document was recorded in the United States Patent and Trademark Office at  
Reel 011737, Frame 0383, or for which a copy thereof is attached.

2. From: Agere Systems Guardian Corp. To: Agere Systems Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

J. Joel Justiss/December 29, 2006SignatureDateJ. Joel Justiss972-480-6800Printed or Typed NameTelephone NumberAttorney for ApplicantTitle

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**UNITED STATES DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 12, 2001

PTAS

TROUTMAN SANDERS MAYS & VALENTINE  
JOHN E. CURTIN, ESQUIRE  
1660 INTERNATIONAL DRIVE  
SUITE 600, TYSONS CENTER  
MCLEAN, VA 22102



\*101698541A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/13/2001

REEL/FRAME: 011737/0383  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HOSSAIN, ASHFAQ

DOC DATE: 03/12/2001

ASSIGNEE:

AGERE SYSTEMS GUARDIN CORP.  
SUITE 105, 14645 N.W. 77TH AVENUE  
MIAMI LAKES, FLORIDA 33014

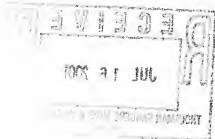
SERIAL NUMBER: 09804248

FILING DATE: 03/13/2001

PATENT NUMBER:

ISSUE DATE:

JACQUELINE MOORE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



To the Honorable Commissioner of Patents



checked original documents or copy thereof.

101698541

1. Name of conveying party:

**Ashfaq Hossain**

2. Name and address of receiving party(ies)

Name: **Agere Systems Guardian Corp.**

Internal Address:

Street Address: **Suite 105, 14645 N.W. 77th Avenue**City: **Miami Lakes** State: **FL** Zip: **33014**Additional name(s) & address(es) attached? ☐ Yes ☒ NoAdditional name(s) of conveying party(ies) attached? ☐ Yes☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:Execution Date: **March 12, 2001**

J1000 U.S. PAT. 09/804248

03/13/01

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: **March 12, 2001**

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

0980 4248

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **John E. Curtin, Esquire**

Internal Address:

**Troutman Sanders Mays & Valentine, L.L.P.**Street Address: **1660 International Drive****Suite 600, Tysons Corner**City: **McLean** State: **VA** Zip: **22102**6. Total number of applications and patents involved: **1**7. Total fee (37 CFR 3.41) **\$40.00**☐ Enclosed☒ Authorized to be charged to deposit account8. Deposit account number: **501735**

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.***John E. Curtin**

Name of Person Signing

Signature

**March 13, 2001**

Date

Total number of pages including cover sheet, attachments, and document: **3**

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

## ASSIGNMENT AND AGREEMENT

For value received, I, Ashfaq Hossain of Berkeley Heights in the County of Union and State of New Jersey, hereby sell, assign and transfer to Agere Systems Guardian Corp., a corporation of the State of Delaware, having an office at Suite 105, 14645 N.W. 77<sup>th</sup> Avenue, Miami Lakes, FL 33014, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **Methods and Devices For Selecting Internet Servers** described in an application for Letters Patent of the United States, executed by me of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to Agere Systems Guardian Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

I authorize Agere Systems Guardian Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Agere Systems Guardian Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to Agere Systems Guardian Corp. in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Guardian Corp. may designate.

I agree that, when requested, I shall, without charge to Agere Systems Guardian Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.



Ashfaq Hossain

Date: Mar 12, 2001.

United States of America )

State of New Jersey ) ss.:

City of Essex )

On this 12th day of March, 2001, before me personally came Ashfaq Hossain, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Notary Public

MICHAEL A. RESCINITI  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES 4/8/04

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION, WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**Agere Systems Guardian Corp.  
(a Delaware corporation)**

**INTO**

**Agere Systems Inc.  
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"). **DOES HEREBY CERTIFY:**

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By Paul Bento  
Paul Bento, Vice President

**GENERAL APPOINTMENT OF AGENT**

**AND**

**POWER OF ATTORNEY**

Agere Systems Inc., for itself and its subsidiaries, and as successor in interest to patents of Agere Systems Inc., hereby appoints:

Ian M. Hughes, Reg. No. 41,083  
Mark Kurisko, Reg. No. 38,944  
Marie MacNichol, Reg. No. 35941  
Scott W. McLellan, Reg. No. 30,776  
David L. Smith, Reg. No. 30,592  
Lloyd Sadler, Reg. No. 40,154  
John P. Veschi, Reg. No. 39,058  
David A. Saseo, Reg. No. 43,084  
Chad Hilyard, Reg. No. 40,647

as agents and attorneys to act on Agere Systems Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Agere Systems Inc., its wholly-owned subsidiaries or its predecessors, or otherwise issued or pending in the name of Agere Systems Inc. or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Agere Systems Inc.

By: John P. Veschi  
John P. Veschi  
Vice President - Intellectual Property & Law

Date: November 4, 2005